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UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
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OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

Ruth H. Newston  
Zeneca Pharmaceuticals  
Chief IP Counsel, Pharmaceuticals  
1800 Concord Pike; PO Box 15437  
Wilmington, DE 19850-5437

In Re: Patent Term Extension  
Application for  
U.S. Patent No. 4,636,505

### NOTICE OF FINAL DETERMINATION

A determination has been made that U.S. Patent No. 4,636,505, which claims the human drug product CASODEX®, is eligible for patent term extension under 35 U.S.C. § 156. The period of extension has been determined to be 1,723 days.

The period of extension has been calculated using the FDA determination of the length of the regulatory review period published in the Federal Register of April 19, 1996 (61 Fed. Reg. 17308). Under 35 U.S.C. § 156(c):

$$\begin{aligned}\text{Period of Extension} &= \frac{1}{2} (\text{Testing Phase}) + \text{Approval Phase} \\ &= \frac{1}{2} (2,673) + 386 \\ &= 1,723 \text{ days}\end{aligned}$$

Since the regulatory review period began May 22, 1987, after the patent issue date (January 13, 1987), the entire period has been considered in the above determination. No determination of a lack of due diligence under 35 U.S.C. § 156(c)(1) was made.

Neither the five year limitation of 35 U.S.C. § 156(g)(6)(A) nor the 14 year limitation of 35 U.S.C. § 156(c)(3) operate to reduce the period of extension determined above.

A single request for reconsideration of this final determination as to the length of extension of the term of the patent may be made if filed within one month of the date of this notice. Extensions of time under 37 CFR § 1.136(a) are not applicable to this time period. In the absence of such request for reconsideration, the Commissioner will issue a certificate of extension, under seal, for a period of 1,723 days.

Upon issuance of the certificate of extension, the following information will be published in the Official Gazette:

U.S. Patent No.	:	4,636,505
Granted	:	January 13, 1987
Original Expiration Date	:	January 13, 2004

Applicant	:	Howard Tucker
Owner of Record	:	Zeneca Limited
Title	:	AMIDE DERIVATIVES
Classification	:	514/256
Product Trade Name	:	CASODEX®
Term Extended	:	1,723 days
Expiration Date of Extension	:	September 30, 2008

Any correspondence from applicant with respect to this matter should be addressed as follows:

By mail: Assistant Commissioner for Patents  
Box Patent Ext.  
Washington, D.C. 20231

By FAX: (703) 308-6916  
Attn: Special Program Law Office

By hand: One Crystal Park, Suite 520  
2011 Crystal Drive  
Arlington, VA

Telephone inquiries related to this determination should be directed to Karin Tyson at (703) 306-3159.



Hiram H. Bernstein  
Senior Legal Advisor  
Special Program Law Office  
Office of the Deputy Assistant Commissioner  
for Patent Policy and Projects

cc: Ronald L. Wilson, Director  
Health Assessment Policy Staff  
Office of Health Affairs (HFY-20)  
Food and Drug Administration  
5600 Fishers Lane, Room 15-22  
Rockville, MD 20857

RE: CASODEX®  
FDA Docket No.: 95E-0421